



**DEPARTMENT OF THE ARMY**  
U. S. ARMY CRIMINAL INVESTIGATION COMMAND  
U.S. ARMY CRIME RECORDS CENTER  
27130 TELEGRAPH ROAD  
QUANTICO, VIRGINIA 22134-2253

FA16-0928

JAN 20 2016

*Jack Nichols*  
*From FOIA of his father*  
*via Army*

Dr. Douglas M. Charles  
115 Gross Street  
Pittsburgh, Pennsylvania 15224

Dear Dr. Charles:

This is in response to a request for release of information from the files of the U.S. Army Criminal Investigation Command (USACIDC), referred from U.S. Army Freedom of Information Act Office, on December 16, 2015.

The enclosed referred documents (marked 1 thru 6), responsive to your request, are part of a system of records exempt from the disclosure provisions of the Freedom of Information Act (FOIA). The names of law enforcement personnel, as well as names, social security numbers and other personal items of information pertaining to third parties have been withheld. The removal of this information constitutes a partial denial pursuant to 5 USC § 552, Exemptions (b)(6) and (b)(7)(C) of the FOIA, because release could violate the personal privacy of other individuals mentioned in the report.

This partial denial, which is made on behalf of Major General Mark S. Inch, Commander, USACIDC, the Initial Denial Authority for USACIDC records under the FOIA, may be appealed to the Secretary of the Army.

If you decide to appeal at this time, your appeal must be submitted within 60 days of the date of this letter. In your appeal, you must state the basis for your disagreement with the partial denial and you should state the justification for its release. Your appeal is made through this Center and should be addressed to the Director, U.S. Army Crime Records Center, 27130 Telegraph Road, Quantico, Virginia 22134-2253, for forwarding, as appropriate, to the Office of the Secretary of the Army, the appellate authority. Please note that your appeal should address information denied in this response and cannot be used to make a new request for additional or new information.

Questions regarding this action should be provided in writing to the address shown on the letterhead or you may contact Information Release Specialist, Ms. Anna Rivera, at (571) 305-4248. Please reference the above control number on any correspondence.

Sincerely,

Susan Cugler  
Director, Crime Records Center

Enclosures



# INDEX A

000001

Page 2 withheld.

Third Party Information - Not reasonably  
Segreable – 5 USC § 552,  
Exemptions (b)(6), (b)(7)(C)



BEST AVAILABLE COPY

STATEMENT  
(AR 190-45; AR 600-140)

Explain the nature of the investigation. If person making statement is accused or suspected of an offense he or she must be so informed and this fact affirmatively shown.

PLACE Fort Myer, Virginia	DATE 8 December 1966	FILE NUMBER OPIG-C-66-89
LAST NAME - FIRST NAME - MIDDLE INITIAL (b)(6), (b)(7)(C)	VICE NUMBER N/A	GRADE GS-6
ORGANIZATION (If civilian, give address) North American Division, Operations Directorate (J-3), Organization of JCS, Room 23932 (Tel: 72273 and 481-6806)		

I HAVE BEEN INFORMED BY (b)(6), (b)(7)(C)  
WHO STATED HE IS (a) (an) Investigator  
OF THE UNITED STATES (Army) (Navy) (Air Force), AND THAT HE IS CONDUCTING AN INVESTIGATION OF  
homosexuality (alleged)  
☐ OF WHICH I AM (accused) (suspected). (Strike out words between brackets if person is neither accused nor suspected of a criminal offense.)

"THE UNIFORM CODE OF MILITARY JUSTICE," ARTICLE 31, (and Title 10, United States Code, Section 1219) (Retain words in parentheses if statement is taken in connection with line of duty investigation)  
[the Fifth Amendment to the Constitution of the United States] (Retain words between brackets if person making statement is a civilian) (has) (have) BEEN READ AND EXPLAINED TO ME BY (b)(6), (b)(7)(C)  
I UNDERSTAND THAT I DO NOT HAVE TO MAKE ANY STATEMENT WHATSOEVER AND ANY STATEMENT I MAKE MAY BE USED AS EVIDENCE AGAINST ME.

At about 19.5 hours Friday 25 November 1966 (the day after Thanksgiving), I left my apartment at (b)(6), (b)(7)(C) and was waiting for a bus at the Bailey's Crossroads bus stop, en route to choir practice at the New York Avenue Presbyterian Church, Washington, D. C. I was approached by a man, previously unknown to me, who asked what time it was. I didn't have a watch so the man ran up the street to a gas station where he looked at a clock.

This man was wearing a dark suit. He was a Caucasian male, between 33 and 35 years of age. He looked younger than he is. He is well-built and stands 72 or 73 inches in height and weighs 190-195 pounds. His hair was crew-cut and is reddish-brown in color. He has brown eyes. His nose is somewhat pointed. His face was square and full. He was not wearing a wrist-watch or any other identifiable jewelry. He presented a good over-all impression, but his hand movements were somewhat feminine. He also bit his lips. Jack Nichols

When the man returned he identified himself as (b)(6), (b)(7)(C) and he struck up a conversation during which he stated that he had to go get downtown (in Washington, D.C.), where he had to work or watch a building within walking distance of 12th and Pennsylvania. I received the impression that he had to act as a guard at a bank or something like that. (During the evening -- at about 2030 hours -- he stated that he was too late for work and he did not go to this building.)

The man asked me where I worked and I said, "At the Pentagon -- JCS: Joint Chiefs of Staff." He said, "Do you know anyone from Message Center?" I said, "I know a few by their first names." He made no further comments, that I can recall.

(b)(6), (b)(7)(C) and I discussed religion until the bus came. When the bus came, I got on first and (b)(6), (b)(7)(C) came back and sat next to me. (There were other vacant seats.) We continued to talk while the bus proceeded to 12th and Pennsylvania in Washington, D.C.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	Page 1 of 4 Pages
Additional pages must contain the heading "STATEMENT OF _____ TAKEN AT _____ DATED _____ CONTINUED." The bottom of each additional page must bear the initials of the person making the statement and be initialed as "PAGE _____ OF _____ PAGES."		

DA FORM 19-24  
1 SEP 62

PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE.

ENCLOSURE

000003



STATEMENT (Continued) Nichols

(b)(6), (b)(7)(C) informed me during the ride that he was a homosexual. He asked if I had seen the homosexual picketing outside the Pentagon and I said, "You mean the River Entrance?" and he said, "Yes, that is where we picketed." Then he said, "While we were outside picketing, my friend -- who is just like me -- was inside looking out and I thought it pretty funny that he was inside with nine security clearances while we were outside picketing." Then (b)(6), (b)(7)(C) asked if the guards were alerted for this and I said, "Yes, they were alerted." (b)(6), (b)(7)(C) said, "Good, that is what we wanted."

It was my conclusion from this conversation that the man's homosexual associate was assigned to one of the Message Centers in the Joint Chiefs of Staff.

Q. Did the man say anything which could help identify the person he mentioned as having nine security clearances?

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ TO ME (have read) THIS STATEMENT WHICH BEGINS ON PAGE ONE (1) AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING STATEMENT MATTER. THIS STATEMENT HAS BEEN MADE BY ME FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 8th DAY OF Dec, 19 66, AT Ft Myer, Va.

(b)(6), (b)(7)(C)

Investigator

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Investigator

(Authority to administer oaths)

RIGHTS UNDER UNIFORM CODE OF MILITARY JUSTICE, ARTICLE 31, TITLE 10, UNITED STATES CODE, SECTION 1219; AND THE FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

UNIFORM CODE OF MILITARY JUSTICE, ARTICLE 31, PROVIDES THAT: NO PERSON SUBJECT TO THIS CODE SHALL COMPEL ANY PERSON TO INCRIMINATE HIMSELF OR TO ANSWER ANY QUESTION THE ANSWER TO WHICH MAY TEND TO INCRIMINATE HIM. NO PERSON SUBJECT TO THIS CODE SHALL INTERROGATE, OR REQUEST ANY STATEMENT FROM AN ACCUSED OR A PERSON SUSPECTED OF AN OFFENSE WITHOUT FIRST INFORMING HIM OF THE NATURE OF THE ACCUSATION AND ADVISING HIM THAT HE DOES NOT HAVE TO MAKE ANY STATEMENT REGARDING THE OFFENSE OF WHICH HE IS ACCUSED OR SUSPECTED AND THAT ANY STATEMENT MADE BY HIM MAY BE USED AS EVIDENCE AGAINST HIM IN A TRIAL BY COURT-MARTIAL. NO PERSON SUBJECT TO THIS CODE SHALL COMPEL ANY PERSON TO MAKE A STATEMENT OR PRODUCE EVIDENCE BEFORE ANY MILITARY TRIBUNAL IF THE STATEMENT OR EVIDENCE IS NOT MATERIAL TO THE ISSUE AND MAY TEND TO DEGRADE HIM. NO STATEMENT OBTAINED FROM ANY PERSON IN VIOLATION OF THIS ARTICLE, OR THROUGH THE USE OF COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT SHALL BE RECEIVED IN EVIDENCE AGAINST HIM IN A TRIAL BY COURT-MARTIAL.

TITLE 10, UNITED STATES CODE, SECTION 1219, PROVIDES THAT: NO PERSON IN THE ARMED FORCES MAY BE REQUIRED TO SIGN A STATEMENT OF ANY NATURE RELATING TO THE ORIGIN, OCCURRENCE, OR AGGRAVATION OF ANY DISEASE OR INJURY HE MAY HAVE. ANY SUCH STATEMENT AGAINST HIS OWN INTEREST, WHENEVER SIGNED, IS OF NO FORCE AND EFFECT.

FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROVIDES THAT: NO PERSON SHALL BE COMPELLED IN ANY CRIMINAL CASE "TO BE A WITNESS AGAINST HIMSELF."

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

Page 2 of 4 Pages



Statement of (b)(6), (b)(7)(C) taken at Ft Myer, Va., 8 Dec 60, continued

A. No, nothing else was said which would help identify the man allegedly working in the Joint Chief of Staff Message Center.

During the remainder of the bus trip, (b)(6), (b)(7)(C) continued to discuss homosexuality and religion. He position was anti-religious and he was an active advocate of homosexuality.

During the remainder of the trip, the man continued to discuss these things, but he did not ask me any questions about my work. He did not attempt to learn any security information.

Upon arriving at 12th and Pennsylvania in Washington, D.C., I left the bus and (b)(6), (b)(7)(C) accompanied me toward the church. He suggested that I read a book by Robert G. ING RSOL and attacked (b)(6), (b)(7)(C). When we got to the church, the man asked me to have a cup of coffee with him. Since I was late all ready and intrigued by my first encounter with an identifiable homosexual, I decided against going to choir practice and in favor of having coffee with (b)(6), (b)(7)(C) (I had all ready formed the intent to report the man and the conversation to my security officer.)

We went into a coffee shop located right across from my church. I don't remember the name, but it has a patio. I don't believe it caters to any particular group of people, but I was the only woman in the place. I believe from his behavior that (b)(6), (b)(7)(C) had been in this bar before, but did not see anything which might cause me to believe he was more closely associated with the establishment.

We continued to talk about homosexuality and religion. He said I reminded him of his mother; that I had admirable idealistic qualities; and that I was a gentle person.

At about 2100 hours, the movie BARABAS came on TV and I expressed an interest in the movie. The man excused himself saying he wanted to use the telephone. When he returned, he said that he had called to see if his roommate was in. The roommate was not in and the man invited me to his apartment to see the rest of the movie. I wanted to see the apartment because I had never seen a homosexual's apartment before, so I agreed.

We walked to his apartment which was (b)(6), (b)(7)(C). The building is 9-12 stories in height and is a new building. At the time we approached the building, (b)(6), (b)(7)(C) stated that he was the Vice-President of a Washington-based homosexual organization.

We went into his apartment, which was a combination livingroom, bed room with a kitchen and bath. The decor was modern. The color scheme was blue. There was a picture of a bull-fighter on the wall. The bath was done in green and contained mascara remover, "Just Wonderful" hair-spray, and other cosmetics normally used by women. I commented on this and (b)(6), (b)(7)(C) said they belonged to his Spanish roommate. He never identified this person by name. I understood from the conversation that (b)(6), (b)(7)(C) and the Spanish fellow were the only occupants of the apartment.

While I was in the apartment, (b)(6), (b)(7)(C) received a telephone call. The man who called was supposed to be an editor who was doing a story about (b)(6), (b)(7)(C). During the call, I overheard (b)(6), (b)(7)(C) state he wanted the editor to use the name (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C) rather than his true name of (b)(6), (b)(7)(C) (phonetic spelling). (b)(6), (b)(7)(C) stated that he wanted this false name used because his father was associated with the FBI. From what I heard, (b)(6), (b)(7)(C) father does not know he is a homosexual.

(b)(6), (b)(7)(C)



Statement of (b)(6), (b)(7)(C) taken at Ft Myer, Va., 8 Dec 65, continued

*Nichols*  
(b)(6), (b)(7)(C) has two photograph albums in his apartment with photographs of various people in them. Some of the people in the album, according to (b)(6), (b)(7)(C) are normal relatives and many of them are male and female homosexuals. I saw no one in these albums which was identifiable as being associated with the military or the government. (b)(6), (b)(7)(C) also had a brief case filled with homosexual literature and pamphlets.

(b)(6), (b)(7)(C) stated that his lover was *Lise* (b)(6), (b)(7)(C) (phonetic spelling), now living in an apartment on (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated that he and (b)(6), (b)(7)(C) had separated (because of the Spanish fellow presently living in (b)(6), (b)(7)(C) apartment), but that they were going back together as soon as the Spaniard left. (b)(6), (b)(7)(C) also stated to me that he once lived on (b)(6), (b)(7)(C).

(b)(6), (b)(7)(C) also stated to me that there were other homosexuals living in the apartment building, adding, "We tend to stick together."

We left the apartment at about 2300 hours and (b)(6), (b)(7)(C) escorted me from his apartment and about a block down the street. There I left him and have not seen him since or heard from him or anyone acting for him. I reported this incident the following Monday.

I have examined some photographs of a demonstration at the Pentagon. I have marked one of these photographs "I identify the man on the extreme right as looking like the man I know as (b)(6), (b)(7)(C). This man closely resembles the man I know as (b)(6), (b)(7)(C) but I can not positively identify him as being the same man.

Q. Do you have anything to add to this statement at this time?

A. I wanted to report this in the interest of security. If this man or anyone acting for him contacts me in the future, I will immediately notify Mr. (b)(6), (b)(7)(C) or Mr. (b)(6), (b)(7)(C). I have nothing further to state at this time.